

United States Department of Justice
Office of the United States Trustee
1100 Commerce Street, Room 976
Dallas, TX 75242
(214) 767-1075

Erin Marie Schmidt,
for the United States Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

James Varga,

CASE NO: 21-41656-ELM-7

Defendant

**William T. Neary, United States
Trustee for Region 6,**

Plaintiff

v.

Adv. Proc. No. 21-4083-ELM

James Varga,

Defendant.

Agreed Motion to Set Trial Docket Call and Set Deadlines

TO THE HONORABLE EDWARD LEE MORRIS, UNITED STATES BANKRUPTCY JUDGE:

William T. Neary, the United States Trustee for Region 6 (“Plaintiff”), moves the Court to set trial docket call for **January 3, 2023** and to set deadlines in this adversary proceeding. The Plaintiff would show:

1. This adversary proceeding was commenced when the Plaintiff filed a Complaint against

Defendant on December 21, 2021.

2. Docket call for this adversary proceeding is currently set for **June 6, 2022 at 1:30 p.m..**

3. Defendant, who was previously pro se, recently retained Clayton Everett as counsel in this adversary proceeding.

4. The parties request that docket call be reset for **January 3, 2023 at 1:30 p.m.** in this case.

5. The United States Trustee also asks that the following deadlines be set in this case:

- a. The parties shall exchange the names and addresses of any experts no later than **November 4, 2022;**
- b. Discovery shall be completed by **November 21, 2022;**
- c. All dispositive motions, if any, must be filed no later than **November** and heard no later than **November 21, 2022;**
- d. Except for impeachment documents, all exhibits, along with a list of witnesses to be called, shall be exchanged with opposing counsel (or pro se party) no later than **December 20, 2022;**
- e. A joint pretrial order shall be filed, served, and uploaded by **December 27, 2022;**
- f. Written proposed findings of fact and conclusions of law shall be filed by **December 27, 2022;** and
- g. Trial briefs, if any, shall be filed addressing contested issues of law by **December 27, 2022.**

6. Both the Plaintiff and the Defendant agree to this extension.

The United States Trustee respectfully asks that docket call be set for January 3, 2023 at 1:30 p.m.. The United States Trustee further asks that all other deadlines be extended as described within this motion. It is further requested that this extension be granted without prejudice to seeking further extensions upon a showing of cause.

DATED: May 18, 2022

Respectfully submitted,

WILLIAM T. NEARY
UNITED STATES TRUSTEE

/s/ Erin Marie Schmidt
Erin Marie Schmidt
Texas State Bar No. 24033042
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CERTIFICATE OF CONFERENCE

I certify that on May 17, 2022, I conferred with Clayton Everett, who is representing defendant James Varga, III in this adversary proceeding. Mr. Varga agrees to the requested relief.

/s/ Erin Marie Schmidt
Erin Marie Schmidt

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of this document was served on the following listed persons via first class United States Mail, postage prepaid, on May 18, 2022.

James Varga, III
4215 Southcrest Dr.
Arlington, TX 76013

Clayton Everett
Norred Law PLLC
515 E. Border Street
Arlington, TX 76010

/s/ Erin Marie Schmidt
Erin Marie Schmidt